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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<b>Application Number</b>	09/849621	<b>Docket Number</b>	DT.0102
<b>Filed</b>	05/05/01	<b>Group Art Unit</b>	3623
<b>Examiner</b>	SUSANNA M. DIAZ	<b>Customer No.</b>	23669
<b>Application Title</b>	APPARATUS FOR MERCHANDISE PROMOTION OPTIMIZATION		
<b>First Named Inventor</b>	PHIL DELURGIO		

**RESPONSE B – AMENDMENT**

**VIA FACSIMILE: 571-273-8300**

Mail Stop **AMENDMENT**  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Official Action of 10/13/2005, with a shortened statutory period of response set to expire 01/13/2006, please amend the above identified application as set forth below. In addition, Applicant provides herewith a terminal disclaimer to obviate a provisional double patenting rejection over a pending "reference" application.

**Amendments to the Specifications** begin on page 2 of this paper.

**Amendments to the Abstract** begin on page 9 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 10 of this paper.

**Amendments to the Drawings** begin on page 18 of this paper and include both an attached replacement sheet and an annotated sheet showing changes.

**Remarks/Arguments** begin on page 19 of this paper.

**Conclusions** begin on page 30 of this paper.

An **Appendix** including amended drawing figures is attached following page 30 of this paper.